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PTO/SB/05 (12/97)

Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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UTILITY

PATENT APPLICATION

TRANSMITTAL

(Only for new nonprovisional applications under
37 CFR 1.53(b))

Attorney Docket No. X-11057C

First Named Inventor or Application Identifier

COHEN, Fredric Jay, et al.

Express Mail Label No.

EL 832895877 US

Application Elements

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (Submit an original, and a duplicate for fee processing)

6. ☐ Microfiche Computer Program (Appendix)

2. ☒ Specification [Total 46]
(preferred arrangement set forth below) Pages

7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims

- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

- Abstract of the Disclosure

3. ☒ Drawing(s) (35 USC 113) [Total 1] Sheets

4. ☐ Oath or Declaration [Total 3] Pages

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below]

i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

5. ☒ Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))

9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney

10. ☐ English Translation Document (if applicable)

11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations

12. ☒ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

14. ☐ Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/931,159

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

(Insert Customer No. Or Attach bar code label here)

or

Correspondence address below

Eli Lilly and Company

ADDRESS

Patent Division
P.O. Box 6288



25885

PATENT TRADEMARK OFFICE

CITY Indianapolis

STATE Indiana

ZIP CODE 46206-6288

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FAX 317-276-3861

SUBMITTED BY

Typed or Printed Name William R. Boudreaux

Complete (if applicable)

Signature

Reg. Number 35,796

Date February 24, 2004

Express Mail mailing label number

EL 832895877 US

Date of Deposit

2-24-04

I hereby certify that this paper or fee is being deposited with the United States Postal Service *Express Mail Post Office to Addressee* service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

QUEEN Thomas
Printed Name

Queen Thomas
Signature

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PTO/SB/17 (12/97)

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FEE TRANSMITTAL				Complete if Known			
Note: Effective November 10, 1997. Patent fees are subject to annual revision.				Application Number		FILED CONCURRENTLY HEREWITH	
				Filing Date		FILED CONCURRENTLY HEREWITH	
				First Named Inventor		COHEN, Fredric Jay	
				Group Art Unit			
				Examiner Name			
TOTAL AMOUNT OF PAYMENT		(\$770.00)		Attorney Docket Number		X-11057C	
METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)			
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:				3. ADDITIONAL FEES			
Deposit Account Number: 05-0840				Large Fee Code Entity Fee (\$)			
Deposit Account Name: Eli Lilly and Company				Small Fee Code Entity Fee (\$)			
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17				Fee Description Fee Paid			
<input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance				105 130 205 65 Surcharge-late filing fee or oath			
2. <input type="checkbox"/> Payment Enclosed:				127 50 227 25 Surcharge-late provisional filing fee or cover sheet.			
<input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other				139 130 139 130 Non-English specification			
FEE CALCULATION				147 2,520 147 2,520 For filing a request for reexamination			
1. FILING FEE				112 920* 112 920* Requesting publication of SIR prior to Examiner action			
Large Fee Code Entity Fee (\$)				113 1,840* 113 1,840* Requesting publication of SIR after Examiner action			
Small Fee Code Entity Fee (\$)				115 110 215 55 Extension for reply within first month			
Fee Description Fee Paid				116 420 216 210 Extension for reply within second month			
101 770 201 385 Utility filing fee				117 950 217 475 Extension for reply within third month			
106 340 206 170 Design filing fee				118 1,480 218 740 Extension for reply within fourth month			
107 530 207 265 Plant filing fee				128 2,010 228 1,005 Extension for reply within fifth month			
108 770 208 385 Reissue filing fee				119 330 219 165 Notice of Appeal			
114 160 214 80 Provisional filing fee				120 330 220 165 Filing a brief in support of an appeal			
SUBTOTAL (1) (\$770.00)				121 290 221 145 Request for oral hearing			
2. CLAIMS				138 1,510 138 1,510 Petition to institute a public use proceeding			
Total Claims: 5 -20**=				140 110 240 55 Petition to revive-unavoidable			
Independent Claims: 1 -3**=				141 1,330 241 665 Petition to revive-unintentional			
Multiple Dependent Claims (first time):				142 1,330 242 665 Utility issue fee (or reissue)			
Extr a Fee from below Fee Paid				143 480 243 240 Design Issue Fee			
18 X 18 =				144 640 244 320 Plant Issue Fee			
86 X 86 =				122 130 122 130 Petitions to the Commissioner			
290 X 290 =				123 50 123 50 Petitions related to provisional applications			
Large Fee Code Entity Fee (\$)				126 180 126 180 Submission of Information Disclosure Stmt.			
Small Fee Code Entity Fee (\$)				581 40 581 40 Recording each patent assignment per property (times number of properties)			
Fee Description				146 770 246 385 Filing a submission after final rejection (37 CFR 1.129(a))			
103 18 203 9 Claims in excess of 20				149 770 249 385 For each additional invention to be examined (37 CFR 1.129(b))			
102 86 202 43 Independent claims in excess of 3				179 770 279 385 Request for Continued Examination (RCE)			
104 290 204 145 Multiple dependent claim				169 900 169 900 Request for expedited examination of a design application			
109 86 209 43 Reissue independent claims over original patent				Other fee (specify)			
110 18 210 9 Reissue claims in excess of 20 and over original patent				Other fee (specify)			
SUBTOTAL (2) (\$)				*Reduced by Basic Filing Fee Paid			
**or number previously paid, if greater: For Reissues, see above				SUBTOTAL (3) (\$)			
SUBMITTED BY				Complete (if applicable)			
Typed or Printed Name: William R. Boudreaux				Reg. Number: 35,796			
Signature: [Signature]				Date: 24 February 2004			
"Express Mail" mailing label number: EL 832895877 US							
Date of Deposit: 2-24-04							
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Printed Name: [Signature]				Signature: [Signature]			